More About Inhumanities at Dry Tortugas.

THE TORTURE OF COL. GRENFELL.

Arnold Lays the Prisoners' Woes at Stanton's Door.

Grenfell, Weighted With Iron, Was Thrown Into the Sea and Left Under Water Till All But Dead,-"Murder Me Respectably, Gentlemen, and I'll Thank You for It," He Sald-Order to Sentries to Shoot-One Prisoner, While Drunk, Was Shot-Charges of Shocking Bentalities Inflicted on the Men Who Had Sought to Abduct Lincoln and Falled.

Copyright, 1902, by the Baltimore American CHAPTER XI.

Col. Grenfell, in his erect position, unable to move hand, foot or body, remained like a statue during the morning, the piercing rays of the sun shining down in full force upon his venerable gray hairs, he having no covering upon his head to shield

His gray hairs should have protected him from such unjust punishment, without taking into consideration the position be had formerly occupied in society, Grenfell being a man of fine intellect and gentlemanly culture. Such feelings were buried otherwise they might have interposed checks against gratifying their deep-sealed hatred against him.

They could not forget that his was the voice that broke their slumbering security and forced their cruel routine of punishment to be suspended for a time. No body like unto his on which to vent their spleen and hatred. The moment long hoped for had arrived when he should be made to feel the power he had raised his voice against. The Government would support them in any measure they might adopt

Edwin M. Stanton, Secretary of War, was the most inveterate enemy of Col. Grenfell, which fact he was informed of through Sir Robert Bruce, British Minister at Washington, D. C., in several communications

BRUTALITY COL. GRENFELL SUFFERED Grenfell remained during the morning

tied up in this condition. After dinner, or about 2 o'clock in the afternoon, three of the officers of the Fifth Artillery marched down to the guardhouse, ordering the sergeant of the guard to undo Grenfell from the iron railings and conduct him to the wharf. Each of these officers was armed with a revolver, loaded with powder and ball.

Following in the rear of Col. Grenfell, bound still about the body in cords, accompanied by a corporal and ten armed guards, he was marched to the wharf, where they awaited the arrival of the officers ordained to perform as debasing and damning an act of inhumanity and barbarity as ever degraded the record of any civilized nation.

Every prisoner and soldier on the outer portion of the fort was commanded to retire I within the inclosure of the fort, strict orders having been given the sentinels posted steering their footsteps from every direction in obedience to the command. Why all this commotion? The cause of it was soon learned, and many of the soldiers collected around the sally-port to view the pro

"MURDER ME RESPECTABLY, PLEASE." Murmurs arose on all sides and there was not a voice scarcely but that condemned the whole proceeding. Everything being completed, action soon followed. Col. Grenfell wished to be informed whether or not it was their wish for him to be submerged beneath the water of the sea. They answered ves, and he plunged from the deck of the scow lying alongside of the wharf.

and was soon buffeting against the waves. The provost sergeant, holding on to the end of the rope, repeatedly endeavored to pull him beneath the water with jerks of the rope, but failed, the old man keeping his head above the water.

The officers, maddened at their failure, resorted to sure measures to carry out their cruel and inhuman design. A half-breed was sent to the blacksmith shop to obtain heavy pieces of iron, to be used as sinkers on his feet. The sergeant was busily engaged in collecting bricks lying around

Grenfell stood undismayed in their midst looking callously on at the preparations being made to sink him, and, turning to one of the officers directing the proceedings,

"Gentleman, if it is your intention to murder me, do it in a respectable manner, and I will thank you for the act." One of the officers remarked: "Damn you; you deserve to die for the crimes you have

been guilty of." Grenfeil's reply was: "I leave God to judge between us which is the worse, you,

gentlemen, or I." CRIED "MURDER" WHEN SUNK IN THE SEA. The colleguy was here cut short, the irons and bricks having been obtained. Weighing upward of forty pounds, they were tied the feel of Grenfell. He was then cast into the sea, sinking far beneath its treacherous waves. Just as he was thrown into

the sea a small boat, containing some ladies As their feet touched upon the landing Grenfell's head was raised from beneath the water for him to cath a moment's breath. As they raised his head there rang out in clarion notes from Grenfell "Murder!" Murder!" His piercing cry alarmed the ladies, and

His piercing cry alarmed the ladies, and with quickening footsteps they hastened toward the fort, their hands placed over their ears to drown the horrible cries of

again sank beneath the water, and when raised up again to catch a breath his voice was stifled. They had nearly completed their inhuman deed, there being but little space left between life and death. In an insensible condition he was hauled upon the space left between life and death. In an insensible condition he was hauled upon the deck of the scow, unable to speak, respiration scarcely perceptible, the picture of death itself.

RICKED BY AN OFFICER WHILE SENSELESS. While lying in this condition a Lieutenant kicked him in the side, and, accompanied by the other officers, left Grenfell in charge of the guard. As they neared the sally-port, conversing, the Lieutenant remarked that he would either make Grenfell work

whole proceeding from the casemate window adjoining our quarters, in which we were permitted to remain during the hours of the day. This casemate was the one joining that directly over the sally-port, from which the whole front of the fort

facing seaward was visible, and in a direct line to the wharf, where the transaction described took place. I afterward con-versed with the soldiers who were compelled to perform this piece of inhuman duty, gaining from them sufficient informa-tion to corroborate the evidence of my own eves

They may attempt to stamp my rendition as false, as has been done in occurrences of similar purport, but, outside of those per-sonally connected in it, the truth of my as-sertions can be substantiated by respecta-ble and competent witnesses, if at present

living.
These pages contain nothing but truth throughout. They have not been written throughout. through any vindictiveness or malice on my part, but only to show the inhumanities practised upon the island at that time, which were degrading and most dishonor-able of men in a civilized country.

VERY NEAR TO DEATH.

In a short time Grenfell, his footsteps tottering, was conducted to his quarters, supported on either side by a sentinel. He was then placed in his cell, undressed by the soldiers, where he remained during the day, sick almost unto death from the large day, sick almost unto death from the large quantity of salt water swallowed during the drowning process resorted to. From this period he remained in his cell. A few months afterward all of the officers.

with the exception of one, were transferred o other posts, new officers taking their The barbarous acts of cruelty were never

to such an extent resorted to thereafter. Major Valentine H. Stone arrived at the post some time in May, 1867, and assumed command. He was a strict disciplicarian, and caused the officers to stand up to the required regulations guiding the army. He was not only strict as to the enlisted men, out likewise to the officers, causing each to but likewise to the officers, causing each to perform regularly his required duties.

He was not only a soldier, but also a gen-tleman of noble type, honorable and hu-mane. His treatment both of us and Gren-lelf was very kind. He was the same to ach and all who conformed to the rules aid down, punishing no one through hatred

or prejudice PRISONER STABS A SOLDIER. Any violation of the rules was severely ounished, no matter by whom, he being no respecter of persons. During the period of his command, which was of short duration, everything progressed most favorably in the garrison, only one case calling for stringent measures to be resorted to. George T. Jackson, assistant military storekeeper, was assaulted by a prisoner named James Orr. Orr was one of the gang of a working party at that time unloading lumber from a schooner lying at the wharf. It was hot, as was the general case on the island, but the men as well as the sol-

of the island, but the first as well as the soldiers had performed the task faithfully.

Jackson happened to run upon Orr while scated upon a pile of lumber resting hims of. In a gruff and commanding voice he ordered him to work again, at the same dered him to work again, at the same me telling him that he would report him the provost marshal.

To say that he would report him was suivalent to saving that he must carry a

oall throughout the night, after working hard during the day, which fact was known o Orr from past experience, and, as it was his fate to be punished, he determined to work very easy at his assigned task.

As ordered, he proceeded to his work as usual, no doubt studying out some mode of procedure to avenge himself upon Jackson. When Jackson was called away some time afterward to execute some order, Orr had matured his plan.
On his return toward the boat Jackson

was met by Orr, who stated that there was an officer desirous of seeing him back of the or stable. Jackson started to see the person, Orr following close behind him. He turned upon Jackson finally, inflicting a severe wound upon his face with a penknife in his hand. GENERAL ORDER TO SHOOT

Jackson fled toward headquarters, the blood gushing from the wound inflicted at the hands of Orr. and reported the occurthe hands of Orr, and reported the occur-rence to the commanding officer. The af-fair created intense commotion, and Orr was immediately arrested by the guard and confined. No doubt Orr fully intended to kill the man when he struck the blow, and deserved due praishment for the crime. Yet I could not feel that for his offerce every other was confined should have been made other man confined should have been made

other man commed should have been made to suffer.

About a month after the occurrence Major George P. Andrews arrived and as-sumed command of the post. The facts in the Orr case were communicated to him, ders having been given the sentinels posted at the sally-port to allow no one to pass from within the fort. Men could be seen steering their footsteps from every direction, to take one's life. I furnish herewith an

extract from the order as promulgated, and through which one man lost his life: HEADQUARTERS FORT JEFFERSON, FLA. Special Order No. 78

Special Order No. 78

(Entract)

3 The attention of the officers of the post is called to the fact that atrocious crimes have been committed by prisoners at this post, who seem to think that they cannot be reached by the law. In future every sentinel must use his bayonet and eartridge, and no sentinel who faithfully tries to do his duty shall ever see the inside of the guardhouse. If a prisoner refuses to obey orders the sentinel must shoot him and then use his bayonet, at the same time calling for the guard. The responsibility for obedience to this order will be borne by the commanding officer.

P. Andrews, Commanding Officer P. Andrews, Committee of the commanding officer of the property of the commanding officer. by the commanding officer.

By order Major George P. Andrews, Commanding Post.

Signed PAUL ROEMER, First Lt. Fifth Arty Post Adjutant

STANTON'S ORIER, ARNOLD SAYS. After the issuing of Special Order No.78 a man had to be very particular and careful, as his tenure of life hung upon slender threads. The sentinel held within his hands the life of every individual over whom he the life of every individual over whom he stood guard. To gratify his own feeling of hatred or revenge he was invested with the power to kill his victim, under cover of faithful execution of his duty, assigning cause for his deed a refusal on the part of the victim to comply with orders given. Neither in a civilized or uncivilized country hid they before a tracing a stronger of the stood of the country hid they he for a great such as the country with the country hid they he for a great stronger of the country with the country and the country with the country and the country with the country and the country with the country with the country was a country with the country with the country was a country when the country was a countr did there before emanate such an atrocious order, sanctioning murder. It was a stigma and a disgrace upon the

It was a stigma and a disgrace upon the nation which they represented. I do not attach any blame to Major Andrews in the matter, for, from what I heard him remark on one occasion, of which I will speak hereafter, he received his orders from a higher source—from Edwin M. Stanton, Secretary of War.

of War.

Punishment of severity soon became the order of the day. Trivial offences were soon punished by the carrying of a 128-nound cannon ball from one place to another and back again, through which many men became injured.

I will now state the remark Major Andrews made, which gives the authority for the issuance of the infamous order heretofore alluded to.

fore alluded to.

I was on my way to headquarters one afternoon, and as I turned to go up the path leading to the barracks I came in contact with a soldier named Fisher, of Company I, who was straining and tugging to raise a 128-pound ball upon his shoulder, a senti-nel with loaded musket standing over him. As I neared him Major Andrews turned from the garden and, approaching Fisher, who, as yet had been unsuccessful in raising the ponderous shot upon his shoulder, commanded that he should carry the shot, instructing the sentinel at the same time to shoot and bayonet him if Fisher failed to

comply with the order.

He informed the sentinel that he would protect him in the premises. "For," said he,
"I am supported by a higher authority,
Edwin M. Stanton, Secretary of War."

THE BALL-CARRYING PUNISHMENT. Fisher replied to the commanding officer that it was very hard to be shot down and bayonetted for not obeying that which it was an impossibility for him to perform, but that if he would grant him the right to wheel them into a barrow he thought he might raise them to its bed and execute his beliests, stating at the same time:
"I do not refuse, Major, to comply with

o raise a 128-pound ball upon my shoulder Fisher was of a very frail and delicate form, and had lost what little strength he once possessed through the miserable subsistence issued, and the climate itself having to a great degree a tendency to debilitate

he strongest constitutions.

His request was granted, and thus was saved from death this poor individual, for had he refused to obey the order the sentinel would have carried out his instructions to

straining every muscle and nerve in their forms executing this fearful task, the num-ber required to be carried varying from 25 balls up to the number of 100, for the slightest density in a feature of 100. dereliction of duty. PRISONER WHO WAS SHOT DOWN.

This continued up to the latter part of July, 1867, when a terrible punishment was inflicted upon a drunken prisoner, resulting in his death in the brief space of half an hour. He was the first and last victim unde the infamous Special Order No. 78. John Winters, a prisoner confined for desertion, was shot down on July 31, 1897 within the inside limits of the fort, while in a state of intexication bordering on insanity, by a private soldier of Company Fifth Artillery, stationed at Post 5, at

bastion leading to the casemates, where th

risoners were confined.

This soldier was at one time confined it the guardhouse, charged with sleeping on his post, also with theft. While confined under these charges the same man whom he shot (Winters) bought from his own he snot (winters) bought from his own limited purse articles of food, cooking it, and furnished him with it. Winters was a harmless man, one possessing a very kind heart, and generous to a fault, but, like some men under the influence of liquor, was boisterous and unruly, but not quarrelsome. He had managed on this occasion to obtain

of the garrison.

In going to his quarters, at retreat, he gave two or three drinks from the bottle ir his possession to the soldier standing on his , and thence going to his casemate hen the private was placed on guard again e called to Winters, asking him to give him another pull, as it was termed among them. Winters told him that he had no more—that it was all gone. The soldier hooted at the idea, remark-ing: "All right, I'll remember you for it." About 11 o'clock Winters became noisy in his quarters and the sergeant of the guard

quarters and the sergeant of the gua and a file of men arrested him and marche him to the guardhouse. Winters use abusive language to the sergeant, which aroused his passion to a great extent, but at this time took but little notice of the occurrence.

KILLED WHILE DRINK CRAZED About fifteen minutes after being confined Winters requested to be allowed to fined Winters requested to be allowed to go to the bastion, which was granted, the sergeant ordering the soldier not to per-mit him to go to his room.

Winters eluded the vigilance of the sentinel and returned to his quarters. A sergeant, in charge of the guard, with a file of men, rearrested him. In passing the soldier the sergeant gave him instruc-tions that if Winters attempted to run by his guard to shoot him.

tions that if Winters attempted to run by his guard to shoot him.

Winters was intrusted to a file of men, some going before and some after him. He was placed ahead of the guard, and, in descending the bastion, unconscious of his impending doom, in his drunken condition he ran out of the doorway into the limits of the fort. The soldier, who had left his post by many yards, raised his gun as Winters passed him and shot him down,

mothered groans. A stretcher was prooured and the dying man conveyed to the nospital, and in a brief space of thirty ninutes his spirit had passed from earth

TAX ON "TIMES" STOCK.

It Is Personalty of George Jones's Estate and Taxed in Transfer.

The Court of Appeals has just handed down an opinion holding that the shares and part owner of the New York Times held, while living, in the joint stock association which published that paper are taxable under the Inheritance Tax law as personal property. The taxability of shares in a joint stock a sociation are property. of stock which George Jones, the editor

\$220,000 to Augustine Smith & Co. and the Nassau Bank. The Comptroller of the State began proceedings to collect the transfer tax, and the executors of the estate asked to have deducted from the value of Mr. Jones's forty-six shares in the *Times* Association the amount of its good will and also the amount of many libel suits which were then pending against the Times. Both these claims were disallowed. They also raised the further point that in so far as the value of these shares was made up of real estate the shares should also be con-sidered as real estate, and not taxed, since sidered as real estate, and not taxed, since
the law taxed only personal property. The
decision is against them. The Court says:

A share must base one way or the other,
as an entire thing. It cannot be resolved
into the elements of which the assets of the
corporation consist, and a part pass to the
heir and a part to the executor without destroying it and with it the whole concern. It
is an entirety and must be either real or personal. And which is it? It will not do to
make the property of the corporation a criterion, for the property of almost every
corporation is more or less mixed. We must
make the share itself, those rights which
constitute its beneficial interest, the criterion.
Its right then to receive a dividend of the
whole concern, whether real or personal, is
the interest by which it is to be indged.
We are of opinion, on principle and au-We are of opinion, on principle and authority, that the shares of a joint stock association should be treated as personal property and taxable as such. The difference between a corporation and a joint stock association, in view of the many corporate powers bestowed upon the latter, is more in degree than kind. Finstein & Townsend were attorney. for the executors.

TO COURT TO KEEP POLICE AWAY. The Rellly Association, Raided Once, Ob-

jects to Being Watched. Inspector Kane, who is in charge of the Third Inspection district during the vacation of Inspector Murphy; Acting Captain Casey of the East Eighty-eighth street station and four patrolmen of that station were served vesterday with orders to show cause in the Supreme Court why a writ of mandamus should not issue forbidding them to interfere with the William E. Reill Association at 314 East Eighty-first street The papers were served by ex-Assistant District Attorney Daniel O'Reilly and made returnable on Jan. 5.

The quarters of the William E. Reilly sociation were raided by District Attory Jerome's county detectives on Aug. : Jacobs, the wild Western sleuth isited the place in disguise and obtain yidence which he thought showed that lace was a poolroom and a gambling

e commander of the precinct, Capt. Cree-en, and his wardman, Downes. Creeden is since been retired. has since been retired.

Acting Captain Cassy has kept two men watching the club day and night, one in front and one in the rear. It is this supervision which the association is trying to

A Liberal Education and a Benediction are the Church's best gift to its sons. Every father who teaches his children to read THE SUN gives them an education and a blessing.

RAIDA"HOSPITAL"FORWOMEN

POLICE FIND SIX VICTIMS OF ILLEGAL OPERATIONS.

Two Women and a Man Locked Up-Children Prematurely Born in Bellevue -Prisoners Caught Trying to Abandon a Baby-The Hospital Incorporated?

As the result of an effort to abandon a wo-days-old child by two women the police raided the house at _09 East Thirty-fourth | 1896 will. He said that he had told Jones street, early yesterday morning, and there that it was his belief that if Jones became found six women, of whom four had recently a witness for the District Attorney he had children, and the other two were about to become mothers. Ambulances were summoned from Bellevue Hospital, and they were taken to that institution, where they are now held prisoners.

The greatest haste was used in getting and Vose declared that two of them had been operated on and needed immediate attention. Shortly after her arrival at Bellevue. one of them gave birth prematurely to a child, also born prematurely. The children have been placed in an incubator and may live Adolph Fuchs, 17 years old, of 203 East

Forty-seventh street, put the police on the track of the women. He was going into the hallway of his house on Monday evening when he almost ran into two women coming out. They were strangers and evidently in a hurry. Fuchs saw that they had left a bundle in the hallway and he decided to follow them. The women went up Third avenue with

Fuchs close behind. At Fifty-second street they asked him why he was following them. and when he refused to explain, threatened o have him arrested. Finally one of the women offered him \$5 to go away, but Fuchs declined to take the money and called Po-liceman Martineau of the East Fifty-first street station, to whom he explained the

Martineau insisted that the women go back until he could see what was in the bundle. They found the bundle all right. In it was a very much alive male baby. The women protested that they hadn't left the baby in the hallway at all, but they were taken to the station house.

There the older of the two said that her name was Mrs. Helen Kersten and the other woman said she was her sister, Mar-garet Kersten. They gave fictitious ad-dresses on Second avenue. After the women had been locked up for a while they as Winters passed him and shot him down, from the effects of which he died in the course of thirty minutes.

The soldier never challenged, neither did he cry "Halt," but deliberately carried out the orders received from the sergeant.

TALE MADE TO FIT THE CASE.

The whole garrison was aroused by the report of the gun, coupled with the agonizing cries from the wounded man, who in ising cries from the wounded man, who in its death of a young Brooklyn girl by an illegal operation. Detective McMullin followed the messenger boy to the Fifty-eighth lowed the messenger boy to the Fifty-eighth street kept by a woman who was arrested some years ago charged with having caused by the death of a young Brooklyn girl by an illegal operation. Detective McMullin followed the messenger boy to the Fifty-eighth street kept by a woman who was arrested some years ago charged with having caused by the death of a young Brooklyn girl by an illegal operation. Detective McMullin followed the messenger boy to the Fifty-eighth street kept by a woman who was arrested some years ago charged with having caused the doath of a young Brooklyn girl by an illegal operation. Detective McMullin followed the messenger boy to the Fifty-eighth street kept by a woman who was arrested to the man within the coupé shouted lustily for help. The door, which was left open. The horses became frightened and dashed up Fulton street. The driver was left on the sidewalk, shouting "Whoa," was left on the sidewalk, shouting "Whoa," was left on the sidewalk, shouting "Whoa," while the man within the coupé shouted lustily for help. The door, which was left on the sidewalk is and dashed up Fulton street. The driver is an interpretation of the properties of the properties are street as a street with a street with a street with

ever, placing Kersten under arrest and sending him to the East Fifty-first street

These are the names the women gave: Katherine Carney, 205 East Twenty-third street; Ida Nesbitt, 117 Adams street, Howhen the news of the affair reached headquarters the loud, ringing voice of a commander was heard crying out:

"That's the way we do things in California."

To be continued to-morrow.

street; Ida Nesbitt, 117 Adams street, Hoboken; Anna Peterson, 311 West Eightieth
street; Ida Carson, 1823 Arch street, Philadelphia; Ella Bradley, 218 West Thirty-fifth
street, and Christina Pickel, 263 Academy
street. Newark.
On a card in the window of the parlor was

on a card in the window of the parior was printed in large letters "Dr. G. N. Dol-beck," and on another card was the single word "Midwife." A certificate of incorpora-tion of the Nagel Home and Hospital for Women was found in the place. It was issued in 1891 and was signed by John T. McDonough as Secretary of State.

None of the sick women would tell the police anything about the Kerstens. They

sonal property. The taxability of shares in a joint stock a sociation as personal property had never been decided in this country.

George Jones left an estate valued at \$500,000, which was liable to debts of about \$220,000 to Augustine Smith & Co. and the content of the content of the content of the periodical states and a setting the periodical states of a criminal operation. The police could not learn with certainty whose child had been left in the Forty-seventh street hallway. They learned that the Carney woman had had a baby on Sunday morning. The woman said she had given Mrs. Kersten all the money she had to see that the child was adopted. She to see that the child was adopted. She thought she would know the child by its clothing, but when it was shown to her she declared that the clothing had been

she declared that the clothing had been changed and that she couldn't be sure that the foundling was hers. The police are confident that it is.

The Bradley, Peterson and Pickel women admitted that they had been operated on. The Bellevue doctors said that there was no doubt that Ida Nesbitt and Ida Carson, to whom children were born in the hospital. no doubt that Ida Nesolit and Ida Carson, to whom children were born in the hospital, had been treated unlawfully also.

All three of the Kerstens were arraigned in the Yorkville police court yesterday

and held in \$2,000 bail-apiece for examination. Later in the day they secured bonds-men and were released until next Saturday. A lawyer whom they hired declared that when the women were arrested for abandoning a child they were really looking around for a child that had been stolen from their establishment.

As soon as Kersten and his wife got back to the Thirty-fourth street house they

to the Thirty-fourth street house they took down the doctor's sign and the midwife sign and closed all the shades. Kersten was seen there by a SUN reporter, but he efused to make any statement or to allow its wife to.

The police after much difficulty found Dr. G. N. Dolbeck at 111 East Twenty-eighth street. He declared that he had absolutely no connection with the Kersten place an that he kept his card in her window simply as an advertisement. Not one of the women in the house, he said, had ever had any treatent from him.

ment from him.

The Kersten woman was indicted in May, 1900, for attending a Mary Smith, who died in a house on East Eighty-eighth street after an operation. She fled at the time, and after going to Europe returned to this country and was arrested in Philadelphia. she got out of the scrape without going to orison. The man who gave bail for Mrs. Versten gave as his address a Fifty-eighth street house that has long been known as a

sanitarium. The names that the patients in the hou gave are all fictitious, the police say, al-hough a caller at Bellevue yesterday deared that she knew the Bradley woman nd that she comes of a good family of Hartford, Conn.

RAILROAD TRAINS WRECKED. Fog Obscures a Derailing Signal on the Erle-Limited Train Piled Up in Alabama.

CLEVELAND, Dec. 16.—The first section of No. 5 limited train on the Erie road bound for New York was derailed early this afternoon while leaving this city at a crossing near Newburg. John Ross, the engineer, was slightly injured and the fireman was bruised. None of the passengers was hurt. The engineer failed to observe the derailing The engineer lailed to observe the derailing signal which was up, but because of the heavy fog was not seen.

Birmin Ham Ala., Dec. 16.—Southbound Limited Leess No. 1 from Cincinnation the Queen and Crescent route was wreeked near Moundsville, sixty miles south of Birmingham, at 3 A. M. A rail had been removed near the trestle. The engine left the track and knocked the trestle down. The locomotive, mail, baggage and express

The locomotive, mail, baggage and express cars and two coaches were piled up in a creek. The body of Express Messenger Colson was found under the wreckage. He was the only person killed.

Attacks Counsel on the Other Side and

Attacks Counsel on the Other Side and Says Trial Was a Travesty.

The examination of witnesses before new Description for a new Desc Recorder Goff on the motion for a new trial for Lawyer Albert T. Patrick, convicted of the murder of William M. Rice, was finished yesterday when George Gordon Battle was questioned by Lawyer John C Tomlinson for Patrick. Mr. Battle said that he was retained at the office of Hornblower & Byrne for Valet Charles F. Jones by Capt. Baker, the proponent of the Rice would never be prosecuted. Jones made a confession to him at Bellevue Hospital and he told the District Attorney about the confession.

Mr. Tomlinson, who bases his motion for a new trial partly upon the relations of the the women to the hospital as Drs. McDonald proponent of the 1896 will, Capt. Baker, with the District Attorney, said:

"Mr. Battle served three masters and served them well. He succeeded in getting Patrick convicted and the 1900 w.ll declared child and a few hours later the other had a a forgery, and he also freed Jones. With no reflection upon Mr. Battle personally, I think he is guilty of unprofessional conduct

If Mr. Tomlinson says that I served three masters," retorted Mr. Battle as he was about to leave the witness stand, "I qualify his statement as false and were it

quality his statement as false and were it not for the respect that I owe your Honor, I would resent it more forcibly."

Mr. Tomlinson also called Assistant District Attorney Garvan a "flippant, im-pertinent boy," and when Mr. Garvan asked a witness if John D. Milliken, Pat-rick's brother-in-law, had tried to get false statements from Jones while Jones was at the private sanitarium in West Forty-fourth street, Mr. Tomlinson said: "That question is too offensive to argue against. When you are older you will know better than to ask such questions."

Prior to filing papers with the Recorder he lawyers summed up. Mr. Tomlinson aid that the Grand Jury in neglecting to indict Jones had violated its oath, that the rial was a travesty on justice and a fraud upon the court. Here you have the first and only case of a man committing a murder being allowed to go scot free," he said. Later he said that the District Attorney had made a case

CAB RAN AWAY WITH A COP. Had Beer Bottles Inside and Stopped Too

Near Headquarters for Comfort. While the driver of a coupé was receiving instructions from his fare at Court square

izing cries from the wounded man, who in his dying moments requested them to kill him to relieve him of his sufferings. A consultation was then held by the sergeant and the soldier, he having been relieved from his post, to arrange the tale that was to be told relative to the shooting. I could not hear much of that which passed, but I distinctly heard a man who in a very short time thereafter was made corporal state that each must tell the same tale.

While the sergeant had gone for the officer of the day Winters's piteous moats, mixed with shrieks and heartrending ties, resounded throughout the fort. Life was fast ebbing out, and by the time the officer of the day arrived nothing could be heard but his smothered groans. A stretcher was procured and the discussion sending him to the East Fifty-first street.

appearance of those used by the promoters of a Western brand of beer.

"Get out of this," said the passenger.

"I'll pay, but get away from this corner."

Brooklyn Police Headquarters is only fifty feet from Fulton and Smith streets.

FIGHTING THE SILK CASES.

Rosenthal's Counsel Want to Inspect Grand

Jury Minutes. The attorneys for Abraham S. Rosenthal, Martin L. Cohn and United States Examiner Charles C. Browne, who were indicted last week for silk frauds against the Government, served notice in the United States Court yesterday that before their clients plead the defence will move for leave to inspect the Grand Jury minutes and probably will move later to set the indictments aside as illegal. Frank H. Platt, for the accused importers, stated that the grounds for the motions would be that improper evidence was submitted to the jury and also that W. Wickham Smith, the Assistant also that W. Wickham Smith, the Assistant Attorney-General who is prosecuting the stik cases, is receiving his pay not from the Government, but largely from Rosenthal & Co.'s business rivals and some of their enemies. The improper evidence, he said, was a letter v-itten to former Appraiser Wakeman by Godfrey Bloch, in which Bloch is reported to have charged conspiracy against the defendants. The prosecution expected to produce Bloch before the Grand Jury to identify the letter, but he was out of town.

but he was out of town.

Judge Thomas said he would hear the motions and argument on some later day

NEW TOMBS OPEN TO-DAY. Invitations Sent Out for an Inspection the Centre Street Prison.

The new prison which takes the place of the old Tombs prison will be open for publie inspection from 10 to 4 to-day. Commissioner of Corrections Hypes has sent invitations to the city officials and to other prominent persons.

The new prison is not complete. Th heating apparatus is not in order, nor is the kitchen ready. No prisoners have been transferred as yet. With the beginning of the new year it is expected that the new prison will be ready for occupancy and that the work of demolishing the old structure will be begun. In place of the old priso will be a courtyard where prisoners will b allowed to exercise in fair weather. The Catholic chapel is on the third floo of the new building. It will be dedicated on Sunday, when Archbishop Farley will celebrate mass. The Protestant chapel, on the fifth floor, will be completed next

BORACIC ACID NON-INJURIOUS. The Chemical Companies of Germany Have

so Informed Their Government. Frank Mason, United States Consul-General at Berlin, has sent to the Butchers' Advocate here a copy of a protest made by the chemical companies of Germany to the German Government against the law prohibiting the use of boracic acid as a means of preserving meat. The report, which is considered of interest in connection with the tests now being made by Prof. Wiley of the United States Department of Agriculture, to determine the action of boracic acid on the human body, states that boracic acid has been proved non-injurious by eminent scientists, and that contrary conclusions are incorrect and inadmissable.

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PATRICK'S LAWYER GOES TO WAR. RICH HOLIDAY GIFTS.

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The Watch and Jewelry House of Benedict Bros. was established in Wall Street in 1819 by Samuel W. Benedict, the father of the present Benedict Bros., which makes it probably the oldest in their line in this country. The present Benedicts removed to the corner of Cortlandt Street in 1863.

corner of Cortlandt Street in 1863.

They are now located at the corner of Broadway and Liberty Street, where they have the most attractive jewelry store in the United States and, perhaps, in the world.

An early inspection of their magnificent and extensive line of fine Watches, Diamonds and other Precious Gems is cordially invited. cious Gems is cordially invited

Try "The Benedict" Patent Sleeve and Collar Button! BENEDICT BROS., JEWELERS. 141 Broadway, Cor. Liberty St., NEW YORK.

YZNAGA LEFT \$2,000,000 MORE

THAN DOWAGER DUCHESS OF

MANCHESTER EXPECTED. he Was Sole Legatee Under Her Brother

Fernando Yznaga's Will, but Announced That She Would Share the Fortune With Her Mother and Sisters. The appraisal of the estate of Fernand

Yznaga, brother of the Dowager Duchess of Manchester, shows that he had \$2,000,000 more in personalty than was believed at the time of his death. The dowager Duchess, who inherited his entire fortune, is therefore \$2,000,000 richer than she expected to be when her brother died on March 6, 1901. The petition accompanying the will de-

clared the real estate to be about \$2,000,000

and the personal only \$35,000. The will left everything to his sister, Consuelo. The appraisers' report shows that the personal estate alone amounted to \$2,298,-898. Of this sum \$1,194,467 was Mr. Yzanga's interest in the banking firm of H. B. Hollins & Co. His liabilities to the firm, however, reduced this interest by \$405,046. The other personalty included:

3,000 shares Union Traction Co. of Philadelphia
20 shares Knickerbocker Trust Co.
6,000 shares Brooklyn Ferry Co.
1,4,000 shares Brooklyn Ferry Co.
1,4,000 shares Havana Commercial Co.
1,000 shares Havana Commercial Co.
1,000 shares Havana Commercial Co.
1,000 shares Chicago Union Traction Co.
1,000 shares Chicago Union Traction Co.
1,000 shares Electric Storage Battery
1,000 shares Con. Traction Co of Phitsburg.
1,000 shares Con. Traction Trust Co.
1,000 shares So. Light & Traction Co.
1,000 shares International Mortgage Bank of Mexico.
1,000 shares Col. & Fastern R. R. Co.

The Duchess, shortly after the probate of The Duchess, shortly after the probate of the will, announced her intention of sharing her brother's fortune with her mother and her two sisters. The mother is Mrs. Ellen M. Yznaga, widow of Don Antonio Yznaga del Valle, of New Orleans. The two sisters are Lady Lister Kaye of 16 Boiton street, Piccadilly, London, and Emily Yznaga of 70 Avenue Marceau, Par is.

Can Steal, but Cannot Talk. John Linsticker, about 16 years old for stealing liquor from David Beck of 553 First street was arraigned in the Court of General Sessions, Jersey City, yesterday, on an indictment for larceny. He couldn't plead because he is deaf and dumb, can not write and doesn't understand the sign language. Assistant Prosecutor George language. Assistant Prosecutor George T. Wickers expects to place the boy in an

institution. Clerk Married Watting Couple. Bernard Baruth, 42 years old, a cigar manufacturer of 220 Montgomery street Jersey City, and Miss Selma Schlesinger 13 years, his junior, went to the City Hall in that city in Mayor Fagan's absence westerday afternoon to get married. The Rev. E. F. Crowen, a clerk in the chief engineer's office, stopped his work long enough to perform the ceremony after the pair had waited an hour for the Mayor.

RACINE, Wis., Dec. 16 .- For praying too oud Emma Leopold was arrested vesterday on the charge of disorderly conduct. She was found guilty and sentenced to pay a fine of \$3 and costs. Miss Leopold was advised to return to Chicago by her bondsman, F. J. Hanche, who recently joined the church. The woman admitted that the police told her to stop screaming, but she said she could not, as the inspiration had entered her soul.

George H. Squire,

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LOANS.

MAIDEN LANE,

MONEY Advanced on

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YOUR FORTUNE TOLD frem cradle to grave. What I tell comes true. Send dime, birth date and lock of hair. Professor 2. POWNALL, 360 Elmwood av., Providence, R. E.

POST OFFICE NOTICE.

POST OFFICE NOTICE.

Foreign real's for the week ending Dec. 20, 1902, will close dipromited for the week ending Dec. 20, 1902, will close dipromited from the week ending Dec. 20, 1902, will close one hour earlier tunn closing time shown below. Parketles Post Mall's close one hour earlier tunn closing time shown below. Parketles Post Mall's for EERMANY close at 57, M. Sonday, e. r. stear ship Deutschland; and Friday, per steamship Particla.

Regular and Supplementary mails close at Forcien Station half hour later than closing time shown below texcept that Supplementary Mails for Europe and Central America, via Colon lose one hour later at Foreign Station.

TRANSATLANTIC M - 5.

WEDNENDAY.—At 3.30 A. M. for IRELAND, per steamship Oceanic, via Queensland small for other parts of Europe must be directed "per steamship Oceanic 51 at 6.30 A. M. for EUROPE, per steamship St. Paul, via Southampton.

THURSDAY.—At 7 A. M. for FRANCE, SWITZER-LAND, ITALY, SPAIN, PORTIC M. TURKEY, EGYPT. GREECE, BRITISH INDIA and LORENZO MARQUEZ, per steamship La Touraine, via at a. M. for AZORES ISLANDS, per steamship Penlisular.

SATURDAY—At 6. M. for EUROPE, per steamship Deutsine, via the A. M. for EUROPE, per steamship Noordam (mail must be directed "per steamship Noordam"); at 8. A. M. for EUROPE, per steamship Noordam (mail must be directed "per steamship Vaderland); at 9.30 A. M. for SCOTLAND direct, per steamship Ethiopia").

PRINTED MATTER. ETC.—This steamer takes Printed Matter.

**PRINTED MATTER, ETC.—This steamer takes Printed Matter, Commercial Papers, and Samples for Germany only. The same class of mail matter for other parts of Europe will not be sent by this ship unless specially directed by her.

After the closing of the Supplementary Transatiantic Mails named above, additional Supplementary Mails are opened on the piers of the American, English, French and German steamers, and remain open until within Ten Minutes of the hour of sailing of steamer.

MAILS FOR SOUTH AND CENTRAL AMERICA; WEST INDIES, ETC. WEDNESDAY.—At 8 A. M. for BERMUDA, per steamship Pretoria; at 11:30 P. M. for Jamalca, per steamship Admiral Sampson, from Phila-delphia.

delpila.

HURSDAY.—At 8 A. M. for CUBA, YUCATAN, CAMPECHE, TABASCO and CHIAPAS, per steamship Ha. ana (mails for other parts of Mexico must be directed "per steamship Havana"; atta A.M. for GUADELOUPE, MARTI-MQUE. BARBADOS, BRITISH, DUTCH and FRENCH GUIANA, per steamship Talismon, at 12 M. supplementary 12:30 P. M.) for BAHAMAS, per steamship Antilla via Nasaau (mail must be directed "per steamship Antilla"); at 12 M. (supplementary 12:30 P. M.) for BAHAMAS and SANTIAGO, per steamship Yucatan. FRIDAY -At 12 M. for MEXICO, per steamship

FRIDAY.—At 12 M. for MEXICO, per steamship Matanzas, via Tampleo (mail must be directed "per steamship Malanzas"): at 12:30 P. M. for INAGUA and HAYTI, per steamship Paloma; at 11:30 P. M. for BAHAMAS, per steamer from Miami, Fia.

SATI RUAT.—At 9 A. M., for PORTO RICO per steamship Coamo; at 9 A. M. (supplementary 9:30 A. M.) for CURACAO and VENEZUELA, per steamship Maracaho (mail for Savanilla and Cartagena must be directed per steamship Maracaho (mail for Savanilla and Cartagena must be directed per steamship Maracaho (mail for Northern Brazil, Argentina, Uruguay and Paraguay must be directed "per steamship Coleridge"); at 9:30 A. M. (supplementary 10:30 A. M.) for FORTUNE ISLAND, JAMACA, SAVANILLA, CARTAGENA and GREYTOWN, per steamship Alleghany (mail for Costa Rica must be directed "per steamship Alleghany"); at 9:30 A. M. (supplementary 10:30 A. M.) for ST. THOMAS, ST. CROIX, LEE-WARD and WINDWARD ISLANDS, BRITISH, DUTCH and FRENCH GUIANA, per steamship Carliboe (mail for Grenada and Trinidad must be directed "per steamship Carliboe (mail for Grenada and Trinidad must be directed "per steamship Carliboe"); at 10 A. M. for CUBA, per steamship Prins F. Hendrick (mail for Curacao, Venezuela, Trinidad, British and Dutch Gulana must be directed "per steamship Prins F. Hendrick (mail for Curacao, Venezuela, Trinidad, British and Dutch Gulana must be directed "per steamship Frins F. Hendrick (mail for Curacao, Venezuela, Trinidad, British and Dutch Gulana must be directed "per steamship prins F. Hendrick"); at 10 A. M. for GREN.

ADA and TRINIDAD, per steamship Grenaua.

Mails for Newfoundland, by rail to North Sydney, and thence by steamer, close at this office daily at 6:30 P. M. iconnecting close here every Monday, Wednesday and Saturday), Mails for Miquelon, by rail to Boston, and thence by steamer, close at this office daily at 6:30 P. M. Mails for Cuba, by rail to Tampa, Fla., and thence by steamer, close at this office daily, except Thursday, at \$:30 A. M. the connecting closes are made on Monday, Wednesday and Saturdays). Mails for Mexico City, overland, unless specially addressed for despatch by steamer, close at this office daily, except Sunday, at 1:30 P. M. and 11:30 P. M., Sundays at 1 P. M. and 11:30 P. M., Sundays at 1 P. M. and 11:30 P. M. of Sunday, at 1:30 P. M. and 11:30 P. M., Sundays at 1 P. M. and 11:30 P. M. and 11:30 P. M., Sundays at 1 P. M. and 11:30 P. M. for Costa Rica, Sunday, at 1:30 P. M. and 11:30 P. M. for Belize, Fuerto Cottez and letter mail for Guatemala, M., Sundays at 1:130 P. M. for Guatemala, and Tuesdays at 1:130 P. M. for Guatemala, and Tuesdays at 1:130 P. M. for Costa Rica, Fuerto Cottez and letter mail for Guatemala, and Tuesdays at 1:1:30 P. M. for Costa Rica, Fuerto Cottez and letter mail for Guatemala, and Tuesdays at 1:1:30 P. M. for Costa Rica, 1:30 P. M. for Costa Rica, 1 TRANSPACIFIC MAILS.

TRANSPACIFIC MAILS.

Mails for Hawaii, China, Japan and Philippine Islands, via San Francisco, close here daily at 6:30 P. M. up to Dec. 114, inclusive, for despatch per stamship Nippon Maru. Mails for China and Japan, via Tacoma, close here daily at 6:30 P. M. up to Dec. 116, inclusive, for despatch per steamship Duke of Fife. Mails for Hawaii, Japan, China, and specially addressed matter for the Philippine Islands, via San Francisco, close here daily at 6:30 P. M. up to Dec. 122, inclusive, for despatch per steamship Peru. Mails for Hawaii, via San Francisco, close here daily at 6:30 P. M. up to Dec. 122, inclusive, for despatch per steamship Zealandia. Mails Mails for Hawaii, via San Francisco, closs here daily at 6:30 P. M. up to Dec. 122, inclusive, for despatch per ateamship Zealandia. Mails for China and Japan, via Vancouver and Victoria, B. C., close here daily at 6:30 P. M. up to Dec. 123, inclusive, for despatch per steamship Empress of India. Merchandise for U. S. Postal Agency at Shanghal cannot be forwarded via Canada. Mails for China and Japan, via Seattle, close here daily at 6:30 P. M. up to Dec. 124, inclusive, for despatch per steamship Riojun Maru. Mails for the Fhilipphae Islands, via San Francisco, close here daily at 6:30 P. M. up to Dec. 127, inclusive, for despatch per U. S. transport. Mails for Australia (except West Australia, which is forwarded via Europe). New Zealand, Fill, Samoa and Hawaii, via San Francisco, close here daily at 6:30 P. M. after Dec. 113 and up to Jan. 13, inclusive, for despatch per steamship Roonoina. (If the Cunard steamer carrying the British mail for New Zealand does not arrive in time to connect with this despatch, extra mails—closing at 5:30 A. M., 9:30 A. M. and 6:30 P. M.—will be made up and forwarded until the arrival of the Cunard steamer.) Mails for Australia (except West Australia, which goes via San Francisco), and Fill Islands (mail must be specially addressed), via Vancouver and Victoria, B. C., close here daily at 6:30 P. M.—will be made up and forwarded until the arrival of the Cunard steamer.) Mails for Australia (except West Australia, which goes via San Francisco), and Fill Islands (mail must be specially addressed), via Vancouver and Victoria, B. C., close here daily at 6:30 P. M. up to Jan. 18, inclusive for despatch per steamship Moana. Mails for Tahuti and Marquesas Islands, via San Francisco, close here daily at 6:30 P. M. up to Jan. 18, inclusive for despatch per steamship Mariposa.

Transpacite mails are forwarded to port of saiting daily and the schedule of closing is arranged on the presumption of their uninterrupted overland transit. Registered mail closes at 6 P. M. previous day.

CORNELIUS

previous day.

CORNELIUS VAN COTT, Postmaster.

Post Office, New York, N. Y., Dec. 12, 1902.

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